UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,))
VS.)) Cr. No. 3:14-mj-00071-FDW-1
SETH KAMOSE ALI,))
Defendants.)
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THIS MATTER is before the Court on Defendant's Oral Notice of Appeal (Doc. No. 5), of the Magistrate's May 8, 2014, Order of Defendant's Detention (Doc. No. 6). Upon review of the evidence and arguments presented at Defendant's Detention Hearing May 8, 2014, as well as the Magistrate's Order, the Court finds Defendant poses a serious risk of non-appearance and a serious risk to the public. Accordingly, the Magistrate's Order is AFFIRMED.

"If . . . [a] judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the [defendant] as required and the safety of any other person and the community, such judicial officer shall order the detention of the [defendant] before trial." 18 U.S.C. § 3142(e). A court shall take into account the weight of evidence against the defendant, the defendant's history and personal characteristics, and the seriousness of the risk to the public when determining if a defendant should be detained. See 18 U.S.C. § 3142(g).

There is no question that Defendant's pre-trial release poses a serious risk to the community and a serious risk of non-appearance. The United States submitted a plethora of

evidence that Defendant actively sought to evade service of a subpoena. Defendant's intentional

evasion resulted in a charge of Assault with a Deadly Weapon on a Federal Officer when

Defendant allegedly slammed an Officer's hand in a car door while the agent was attempting to

serve a subpoena, left the door closed until the Officer opened it, and sped toward the Officer

"revving" his engine until the Officer drew his weapon.

Even further, the subpoena Defendant was actively attempting to evade involves

Defendant's notary seal and signature on falsified documents in an on-going fraud case. While

the Government was clear no accusations have been made, the Court agrees that the facts

surrounding the fraud case are questionable, and even more so when considering Defendant's

knowledge of the subpoena and his resulting evasive behavior.

Because Defendant allegedly assaulted a Federal Officer, actively sought to evade

service, was previously charged with assault on a female, and may have been involved as a

notary in a felony fraud case, the Court finds a serious risk exists that Defendant will not appear

and that Defendant will endanger the safety of another person or the community. The

Magistrate's Order of Detention (Doc. No. 6) is AFFIRMED.

IT IS SO ORDERED.

Signed: May 16, 2014

Frank D. Whitney

Chief United States District Judge

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